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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 17 2016

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

2:16-CR-86-TOR

Plaintiff,

INDICTMENT

vs.

Vio: 18 U.S.C. § 2252A(a)(5)(B)

JACK KENNETH GANNON JR.,

Possession of Child

Pornography

(Count 1)

Defendant.

18 U.S.C. § 2252A(a)(2)

Receipt of Child Pornography

(Count 2)

18 U.S.C. § 2253

Notice of Forfeiture

Allegations

The Grand Jury Charges:

COUNT 1

(Possession of Child Pornography)

On or about October 7, 2015, within the Eastern District of Washington, the Defendant, JACK KENNETH GANNON JR., having a prior conviction under the laws of Washington State relating to possession of child pornography, did knowingly possess material which contained one or more visual depictions of child pornography, as defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of a

INDICTMENT - 1

1 minor who had not attained 12 years of age engaging in sexually explicit conduct, and
2 which visual depictions were of such conduct; that has been mailed, shipped and
3 transported in interstate and foreign commerce, and which was produced using
4 materials which had been mailed, shipped, or transported in interstate and foreign
5 commerce, by any means including computer, all in violation of 18 U.S.C. §
6 2252A(a)(5)(B).

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COUNT 2

(Receipt of Child Pornography)

Between on or about September 21, 2009, and continuing through on or about
June 1, 2015, within the Eastern District of Washington, the Defendant, JACK
KENNETH GANNON JR., having a prior conviction under the laws of Washington
State relating to possession of child pornography, did knowingly receive any child
pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and
transported in interstate commerce by any means, including by computer, to wit: still
image and video files depicting minor and prepubescent children engaging in sexually
explicit conduct including but not limited to actual and simulated intercourse, and the
lascivious exhibition of the genitals and pubic area, in violation of 18 U.S.C. §
2252A(a)(2).

NOTICE OF FORFEITURE ALLEGATIONS

The allegations contained in Counts 1 - 2 of this Indictment are hereby
realleged and incorporated by reference for the purpose of alleging forfeitures
pursuant to 18 U.S.C. § 2253.

Upon conviction of the offense(s) alleged in Counts 1 and 2 of this Indictment,
Defendant, JACK KENNETH GANNON JR., shall forfeit to the United States,
pursuant to 18 U.S.C. § 2253, any visual depiction described in section 2251, 2251A,
2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film,
videotape, or other matter which contains any such visual depiction, which was

1 produced, transported, mailed, shipped or received in violation of this chapter; any
2 property, real or personal, constituting or traceable to gross profits or other proceeds
3 obtained from such offenses; and, any property, real or personal, used or intended to
4 be used to commit or to promote the commission of such offenses, or any property
5 traceable to such property, including but not limited to:

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- 7 (1) One (1) Toshiba Laptop, Serial Number 86032615W, containing Seagate
- 8 Hard Drive, Serial Number 5LZ8FT8;
- 9 (2) Two (2) Attache 2 GB Flash Drives;
- 10 (3) One (1) 4 GB Sandisk SD card;
- 11 (4) One (1) 2 GB SanDisk SD card;
- 12 (5) One (1) 8 GB Samsung Micro SD card;
- 13 (6) One (1) Quantum Hard Drive, Serial Number 652101446904PGZXX;
- 14 (7) One (1) Hitachi Hard Drive, Serial Number EJU96BLX;
- 15 (8) One (1) Seagate Hard Drive;
- 16 (9) One (1) Visual Land Prestige Tablet, containing 1GB Micro SD card;
- 17 (10) One (1) ZTE Z667T Cell Phone, IMEI 865551024879914, containing
- 18 SIM card 8901260772156423030;
- 19 (11) One (1) SanDisk Cruzer 4 GB Flash Drive;
- 20 (12) One (1) Maxtor Hard Drive, Serial Number W8H2WFLA;
- 21 (13) One (1) Maxtor Hard Drive, Serial Number V3HOWNLA;
- 22 (14) One (1) Quantum Hard Drive, Serial Number 173043020015;
- 23 (15) One (1) Seagate Hard Drive, Serial Number 9QZ0SW0P; and
- 24 (16) One (1) Western Digital Hard Drive, Serial Number WT3611062758.

25 If any of the above described forfeitable property, as a result of any act or
26 omission of the Defendant:

- 27 (a) cannot be located upon the exercise of due diligence;
- 28

- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of said Defendant up to the value of the forfeitable property described above.

DATED this 17th day of May 2016.

A TRUE BILL


MICHAEL C. ORMSBY
United States Attorney


Stephanie J. Lister
Assistant United States Attorney